

1 Joel A. Fleming (SBN 281264)
Jacob A. Walker (SBN 271217)
2 **Block & Leviton LLP**
260 Franklin Street, Suite 1860
3 Boston, MA 02110
4 (617) 398-5600 phone
joel@blockesq.com
5 jake@blockesq.com

6 Hung G. Ta, *pro hac vice*
7 JooYun Kim, *pro hac vice*
Hung G. Ta., Esq. PLLC
250 Park Avenue, 7th Floor
8 New York, NY 10177
9 (646) 453-7288
hta@hgtlaw.com
10 jooyun@hgtlaw.com

11 *Co-Lead Counsel*

12
13 **UNITED STATES DISTRICT COURT**
NORTHERN DISTRICT OF CALIFORNIA

14
15 In re TEZOS SECURITIES LITIGATION

16
17 This document relates to:

18 ALL ACTIONS

Master File No. 17-cv-06779-RS

Class Action

Judge: Hon. Richard Seeborg

**STIPULATION AND [PROPOSED]
ORDER ADDING NEW PLAINTIFFS**

WHEREAS, on April 3, 2018, Arman Anvari filed an Amended Consolidated Complaint (ECF No. 108) (the “Complaint”) against Dynamic Ledger Solutions, Inc. (“DLS”), Tezos Stiftung (“Tezos Foundation”), Kathleen Breitman, Arthur Breitman, Timothy Cook Draper (“Draper”), Draper Associates V Crypto LLC (“Draper Associates Crypto”) and Bitcoin Suisse AG (“Bitcoin Suisse”);

WHEREAS, on August 7, 2018 and August 31, 2018, the Court issued orders (ECF Nos. 148 and 163) granting the motions to dismiss the Complaint filed by Draper, Draper Associates Crypto, and Bitcoin Suisse;

WHEREAS, on September 14, 2018, DLS, the Tezos Foundation, Kathleen Breitman, and Arthur Breitman (collectively “Defendants”) filed answers (ECF Nos. 168-171) to the Complaint;

WHEREAS, on November 21, 2018, the Court entered a stipulation adding Pumaro LLC as a named plaintiff to the Complaint (ECF No. 183);

WHEREAS, on January 7, 2019, the Court entered a stipulation adding Artiom Frunze as a named plaintiff to the Complaint (ECF No. 186);

WHEREAS, on April 8, 2019, the Court ordered Anvari withdrawn as Lead Plaintiff, and appointed Trigon Trading Pty. Ltd. (“Trigon”) as Lead Plaintiff (ECF No. 213);

WHEREAS, Lead Plaintiff Trigon and Defendants have agreed that additional named plaintiffs may be added to the Complaint without the need to file an amended pleading or amended answers by Defendants;

IT IS HEREBY STIPULATED AND AGREED by the undersigned counsel on behalf of Lead Plaintiff Trigon and Defendants that:

(a) The Complaint (ECF No. 108, as amended by ECF Nos. 183, 186, and 213) is amended to add Lead Plaintiff Trigon and the following allegation as paragraph 14c:

Trigon Trading Pty. Ltd. (“Trigon”) is an Australian proprietary company which invested 18.9999 Bitcoin in the Tezos ICO on or around July 3, 2017. Trigon was promised delivery of 109,249.42 Tezos tokens upon the conclusion of the Tezos ICO and the launch of the Tezos network. Trigon sold its Tezos tokens at a loss in early December 2018.

1 (b) Hayden Hsiung is added as an additional plaintiff and the following allegation is added
2 to the Complaint as paragraph 14d:

3 Plaintiff Hayden Hsiung is a U.S. citizen who invested 0.5 Bitcoin in
4 the Tezos ICO on July 1, 2017.

5 (c) Gijs Matser is added as an additional plaintiff and the following allegation is added to the
6 Complaint as paragraph 14e:

7 Plaintiff Gijs Matser is a citizen of the Netherlands who invested 31.2
8 Ethereum in the Tezos ICO on July 3, 2017.

9 (d) Defendants, and each of them, answer paragraph 14c as follows:

10 Defendants are without sufficient knowledge or information to form a
11 belief as to the truth of the allegations in paragraph 14c pertaining to
12 Trigon Trading Pty. Ltd.'s alleged contribution to the Fundraiser, and
13 on that basis deny them. Except as expressly admitted, Defendants
14 deny each and every remaining allegation of paragraph 14c.

15 (e) Defendants, and each of them, answer paragraph 14d as follows:

16 Defendants are without sufficient knowledge or information to form a
17 belief as to the truth of the allegations in paragraph 14d pertaining to
18 Hayden Hsiung's alleged contribution to the Fundraiser, and on that
19 basis deny them. Except as expressly admitted, Defendants deny each
20 and every remaining allegation of paragraph 14d.

21 (f) Defendants, and each of them, answer paragraph 14e as follows:

22 Defendants are without sufficient knowledge or information to form a
23 belief as to the truth of the allegations in paragraph 14e pertaining to
24 Gijs Matser's alleged contribution to the Fundraiser, and on that basis
25 deny them. Except as expressly admitted, Defendants deny each and
26 every remaining allegation of paragraph 14e.

27 Stipulated and agreed to by:

28 June 21, 2019

/s/ Jacob A. Walker

Joel A. Fleming (SBN 281264)

Jacob A. Walker (SBN 271217)

Block & Leviton LLP

260 Franklin Street, Suite 1860

Boston, Massachusetts 02110

(617) 398-5600 phone

joel@blockesq.com

jake@blockesq.com

*Co-Lead Counsel and Counsel to Lead Plaintiff
Trigon Trading Pty. Ltd.*

1 /s/ Hung G. Ta

Hung G. Ta, *pro hac vice*

2 JooYun Kim, *pro hac vice*

3 **Hung G. Ta., Esq. PLLC**

250 Park Avenue, 7th Floor

New York, NY 10177

4 (646) 453-7288

hta@hgtlaw.com

5 jooyun@hgtlaw.com

6 *Co-Lead Counsel and Counsel to Plaintiffs and*
7 *Proposed Plaintiffs Pumaro LLC, Artiom*
8 *Frunze, Hayden Hsiung, and Gijs Matser*

8 /s/ Patrick E. Gibbs

Patrick E. Gibbs (183174)

9 Jessica Valenzuela Santamaria (220934)

David S. Houska (295918)

10 Jessie A.R. Simpson LaGoy (305257)

11 **Cooley LLP**

3175 Hanover Street

12 Palo Alto, CA 94304-1130

(650) 843-5355 phone

13 pgibbs@cooley.com

jvs@cooley.com

dhouska@cooley.com

14 jsimpsonlagoy@cooley.com

15 *Attorneys for Defendant Dynamic Ledger*
16 *Solutions Inc.*

17 /s/ Brian E. Klein

Brian E. Klein (258486)

18 Scott M. Malzahn (229204)

Donald R. Pepperman (109809)

19 **Baker Marquart LLP**

777 S. Figueroa Street, Suite 2850

20 Los Angeles, CA 90017

(424) 652-7814 phone

21 bklein@bakermarquart.com

smalzahn@bakermarquart.com

22 dpepperman@bakermarquart.com

*Attorneys for Defendants Dynamic Ledger
Solutions, Inc., Kathleen Breitman, and Arthur
Breitman*

/s/ Neal A. Potischman

Neal A. Potischman (SBN 254862)

Serge A. Voronov (SBN 298655)

Davis Polk & Wardwell LLP

1600 El Camino Real

Menlo Park, California 94025

(650) 752-2000 phone

neal.potischman@davispolk.com

serge.voronov@davispolk.com

Edmund Polubinski III (*pro hac vice*)

Andrew S. Gehring (*pro hac vice*)

450 Lexington Avenue

New York, New York 10017

(212) 450-4000 phone

edmund.polubinski@davispolk.com

Attorneys for Tezos Stiftung

1 SO ORDERED.

2
3 _____
4 June __, 2019

The Hon. Richard Seeborg
United States District Judge